

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Juan Arango	Team: Squad #9	CCRB Case #: 201908866	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/09/2019 1:09 PM	Location of Incident: Over the phone	Precinct:	18 Mo. SOL 4/9/2021	EO SOL 11/24/2021	
Date/Time CV Reported Wed, 10/09/2019 1:53 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 10/09/2019 1:53 PM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. DT3 John Acconi	00394	919972	DA QNS		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.DT3 John Acconi	Discourtesy: Detective John Acconi spoke discourteously to § 87(2)(b)				

## Case Summary

On October 9, 2019, § 87(2)(b) filed this complaint with the CCRB via telephone.

On October 9, 2019, at approximately 1:09 p.m., § 87(2)(b) called the Queens DA's Office and spoke with Detective John Acconi, who was assigned to the telephone switchboard at the Queens DA's office. While speaking with § 87(2)(b) Det. Acconi used the word "shit" (**Allegation A: Discourtesy – Word, § 87(2)(g)**). After, § 87(2)(b) disconnected the call.

Video was not obtained in relation to this complaint. No arrests were made, or summonses issued in relation to this complaint.

## Findings and Recommendations

### **Allegation (A) Discourtesy: Detective John Acconi spoke discourteously to § 87(2)(b)**

It is undisputed that Det. Acconi answered § 87(2)(b)'s phone call to the Queens DA's Office.

During her CCRB statement, § 87(2)(b) stated that on October 9, 2019, she called the Queens DA's Office inquiring about bail money she posted for a friend (**Board Review 01**). While speaking with § 87(2)(b) Det. Acconi used the word "shit." § 87(2)(b) did not recall Det. Acconi's exact statement; however, she believed he may have used the phrase "your shit money."

Det. Acconi stated § 87(2)(b) called the Queens DA's office approximately six times on October 9, 2019 and stated that she wanted the bail money back in all the calls (**Board Review 02**). Each time, he explained to § 87(2)(b) that he could not help her to get the bail money back. Because § 87(2)(b) was not getting the information he was relaying, the conversation became "frustrating." When asked during the CCRB interview to elaborate about the conversation becoming frustrating, Det. Acconi independently stated that he may have said, "Jesus Christ, you are not getting it, I cannot help you," or "Holy shit, you are not getting it, I cannot help you" in one of the later phone conversations that day. Det. Acconi did not recall the exact statement he made and did not recall if he used either of those exact words.

Det. Acconi independently stating that he may have used the word "shit" while speaking with § 87(2)(b) corroborates her claim that he did so. Given that Det. Acconi corroborated § 87(2)(b)'s the investigation determined by the preponderance of evidence that Det. Acconi used the word "shit" while speaking with § 87(2)(b).

**DAO-DCT Disciplinary Case No. 2018-18951 (Board Review 03).** Officers always have the responsibility to act with decorum while speaking with civilians; gratuitous use of profanity is unprofessional.

§ 87(2)(g)

## Civilian and Officer CCRB Histories

- § 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b)
- Det. Acconi has been a member of service for 22 years and has been a subject in six CCRB complaints and 12 allegations, none of which were substantiated. § 87(2)(g) (see officer history).

**Mediation, Civil and Criminal Histories**

- § 87(2)(b) declined to mediate this complaint.
- As of January 2, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (**Board Review 05**).
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (**Board Review 06**).

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Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Squad Leader: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Reviewer: \_\_\_\_\_  
Signature                      Print Title & Name                      Date